

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DAKOTA GREDE, et al.,
on behalf of themselves and all
others similarly situated,

Plaintiff,

Case No. 22-cv-1103-bhl

v.

KRAFT HEINZ FOODS COMPANY,

Defendant.

ORDER GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT

On July 12, 2024, the parties filed their Joint Motion for Preliminary Settlement Approval (ECF No. 43) and their Settlement Agreement and Release (ECF No. 43-1), in this Rule 23 of the Federal Rules of Civil Procedure class action. On July 18, 2024, the Court granted preliminary approval in part and scheduled a final fairness hearing. (ECF No. 46.)

On October 11, 2024, the parties filed a Joint Motion for Final Settlement Approval, (ECF No. 53), Plaintiff's Motion for Approval of Service Awards, (ECF No. 52), and Plaintiff's Motion for Approval of Attorneys' Fees and Costs, (ECF No. 48).

On November 1, 2024, the Court conducted a Fairness Hearing on the parties' request for final approval of their Settlement Agreement and determined that the settlement in this matter, Plaintiff's counsel's attorneys' fees and case-related costs and expenses, and Plaintiff's service awards are fair and reasonable. Based on the parties' submissions and the representations of counsel, the Court **FINDS**:

1 The Settlement Agreement is a fair, reasonable, and adequate resolution of a *bona fide* wage dispute as it applies to the Class Members pursuant to Fed. R. Civ. P. 23(e).

2. Lead Named Plaintiffs, Dakota Grede and Steve Moffett, and Named Plaintiffs, Patricia Montanez, Melinda Wright, Devin Crooms, Steve Brandt, Clyde Bell, LaGregory Bonner, Brian Beranek, Krystal Buckley, Ashley Merry, David Valykeo, Latrecia Adams, JoAnn Wyble, and Melissa Farmer, are appointed as Class Representatives and service awards in the amount of

\$25,000.00 to Lead Named Plaintiff, Dakota Grede; in the amount of \$15,000.00 to Lead Named Plaintiff, Steve Moffett; \$2,000.00 each to Named Plaintiffs Patricia Montanez and Krystal Buckley; and \$1,000.00 each to Named Plaintiffs Melinda Wright, Devin Crooms, Steve Brandt, Clyde Bell, LaGregory Bonner, Brian Beranek, Ashley Merry, David Valykeo, Latrecia Adams, JoAnn Wyble, and Melissa Farmer, are reasonable.

3. Plaintiff's request for attorneys' fees and case-related costs and expenses in the amount of \$5,025,000.00 is reasonable.

IT IS THEREFORE ORDERED:

1. This matter is certified as a class pursuant to Fed. R. Civ. P. 23.

2. The parties' Joint Motion for Final Settlement Approval, (ECF. No. 53) is **GRANTED** and the parties' Settlement Agreement and Release (ECF No. 43-1), is **APPROVED** as fair, reasonable, and adequate pursuant to Fed. R. Civ. P. 23(e), and represents a fair and reasonable resolution of a *bona fide* wage dispute.

3. Lead Named Plaintiffs, Dakota Grede and Steve Moffett, and Named Plaintiffs, Patricia Montanez, Melinda Wright, Devin Crooms, Steve Brandt, Clyde Bell, LaGregory Bonner, Brian Beranek, Krystal Buckley, Ashley Merry, David Valykeo, Latrecia Adams, JoAnn Wyble, and Melissa Farmer, are appointed as Class Representatives.

4. Walcheske & Luzi, LLC and Nilges Draher LLC are appointed as class counsel.

5. The Settlement Agreement is binding on the parties.

6. The Class Members' released claims are dismissed with prejudice.

7. The wage claims of the Putative Class Members who timely and properly excluded themselves in full accordance with the procedures set forth in the parties' Settlement Agreement are dismissed without prejudice.

8. Plaintiffs' Motion for Approval of Attorneys' Fees and Costs, (ECF No. 48), in the amount of \$5,025,000.00 is **GRANTED**.

9. Plaintiffs' Motion for Approval of Service Awards, (ECF No. 52), in the amount of \$25,000.00 to Lead Named Plaintiff, Dakota Grede; in the amount of \$15,000.00 to Lead Named Plaintiff, Steve Moffett; \$2,000.00 each to Named Plaintiffs Patricia Montanez and Krystal

Buckley; and \$1,000.00 each to Named Plaintiffs Melinda Wright, Devin Crooms, Steve Brandt, Clyde Bell, LaGregory Bonner, Brian Beranek, Ashley Merry, David Valykeo, Latrecia Adams, JoAnn Wyble, and Melissa Farmer, is **GRANTED**.

10. This matter is hereby **DISMISSED** on the merits, with prejudice, and without further costs to either party.

SO ORDERED on November 6, 2024.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge